

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1001 be amended to read as follows:

1 Page 105, between lines 3 and 4, begin a new paragraph and insert:
2 "SECTION 45. IC 6-3.1-31 IS ADDED TO THE INDIANA CODE
3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
4 JANUARY 1, 2008]:

5 **Chapter 31. Nonpublic School Transfer Tax Credit**

6 **Sec. 1.** As used in this chapter, "nonpublic school expenses"
7 means the tuition and fees regularly assessed by a nonpublic school
8 as a requirement for attendance.

9 **Sec. 2.** As used in this chapter, "qualifying student" means a
10 student enrolled in a nonpublic school after transferring from the
11 public school corporation where the student has legal settlement
12 under IC 26-26-11, as a result of the public school being
13 categorized as a school in need of improvement.

14 **Sec. 3.** As used in this chapter, "school in need of improvement"
15 means a school that has been placed in the lowest performance
16 category under IC 20-31-8-4 for a third or subsequent year.

17 **Sec. 4.** As used in this chapter, "state tax liability" means an
18 individual's total tax liability incurred under IC 6-3-1 through
19 IC 6-3-7 (the adjusted gross income tax) as computed after the
20 application of all credits that under IC 6-3.1-1-2 are to be applied
21 before the credit provided by this chapter.

22 **Sec. 5.** The department shall grant a refundable tax credit
23 against any state tax liability due equal to twenty-five percent
24 (25%) of the total of all nonpublic school expenses paid during the
25 taxable year by an individual who is the parent or legal guardian
26 of a qualifying student.

27 **Sec. 6.** To receive the credit provided by this chapter, an
28 individual must claim the credit on the individual's state tax return
29 or returns in the manner prescribed by the department. The
30 individual shall submit to the department, along with the
31 individual's state tax return or returns, all information that the

1 **department determines is necessary for the calculation of the credit**
2 **provided by this chapter.**

3 **Sec. 7. An individual is not entitled to any carry forward or**
4 **carryback of any unused credit under this chapter."**

5 Page 132, between lines 8 and 9, begin a new paragraph and insert:

6 **"SECTION 117. [EFFECTIVE JULY 1, 2007] IC 6-3.1-31, as**
7 **added by this act, applies to taxable years beginning after**
8 **December 31, 2007."**

9 Renumber all SECTIONS consecutively.

(Reference is to EHB 1001 as printed April 6, 2007.)

Senator DROZDA